

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

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4 UNITED STATES OF AMERICA,
5 Plaintiff,
6 v.
7 TRACEY BROWN,
8 Defendant.

Case No. 2:11-CR-00334-APG-GWF

**ORDER RESCHEDULING
SENTENCING HEARING AND
ORDERING BRIEFING ON CAREER
OFFENDER STATUS**

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10 In his sentencing memorandum, defendant Tracey Brown argues that his current offense is
11 not a crime of violence. ECF No. 259. He also argues he does not have two prior felony
12 convictions for a crime of violence. *Id.* He thus contends he does not qualify as a career offender
13 as calculated in the presentence report. The government's sentencing memorandum does not
14 address whether the offense of conviction or the predicate offenses qualify as crimes of violence
15 under U.S.S.G. § 4B1.2. ECF No. 260. I therefore will reschedule the sentencing hearing and
16 direct the parties to further brief the issue of whether Brown qualifies as a career offender.

17 IT IS THEREFORE ORDERED that the sentencing hearing currently set for July 21,
18 2016 at 10:00 a.m. is RESCHEDULED to August 11, 2016 at 9:00 a.m.

19 IT IS FURTHER ORDERED that the United States shall file a response brief to Brown's
20 sentencing memorandum regarding whether he qualifies as a career offender on or before July 29,
21 2016.

22 IT IS FURTHER ORDERED that defendant Tracey Brown shall file a reply on or before
23 August 8, 2016.

24 DATED this 19th day of July, 2016.

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26 
27 ANDREW P. GORDON
28 UNITED STATES DISTRICT JUDGE